

DECLARATION FOR PATENT APPLICATION

COPY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled METHOD AND APPARATUS FOR REPAIRING CONCRETE

, which is described and claimed in

the attached specification.
 the specification in application _____, filed on _____
 and amended on _____ (if applicable).
 international (PCT) application No. _____, filed on _____
 and as amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is known to be material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

| Prior Foreign Application(s) | Priority Claimed |
|---|---|
| _____ (Number) _____ (Country) _____ (Day/Month/Year Filed) | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| _____ (Number) _____ (Country) _____ (Day/Month/Year Filed) | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| _____ (Number) _____ (Country) _____ (Day/Month/Year Filed) | <input type="checkbox"/> Yes <input type="checkbox"/> No |

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information which is known to be material to the patentability of this application as defined in Title 37, Code of Federal Regulations, §1.56 which occurred between the filing date of the prior application and the national or PCT International filing date of this application.

| | | |
|----------------------------|---------------------|---|
| _____ (Application Number) | _____ (Filing Date) | _____ (Status - Patented, Pending, Abandoned) |
| _____ (Application Number) | _____ (Filing Date) | _____ (Status - Patented, Pending, Abandoned) |

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: James E. Nilles, Reg. No. 16,663; Andrew J. Nilles, Reg. No. 31,786; James F. Boyle, Reg. No. 33,653; Timothy E. Newholm, Reg. No. 34,400; David G. Luetgen, Reg. No. 39,282; David D. Stein, Reg. 40,828; Jay G. Durst, Reg. No. 41,723; and Lisa M. Gehrke, Reg. No. 38,888. Address all telephone calls to Andrew J. Nilles at telephone number (414) 276-0977, facsimile number (414) 276-0982. Address all correspondence to: Andrew J. Nilles

NILLES & NILLES, S.C.
777 East Wisconsin Avenue, Suite 2000
Milwaukee, Wisconsin 53202-5345

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor (given name, family name): W. Scott Hemphill

Inventor's signature: W. Scott Hemphill Date: 11/4/99

Residence: Newark, DE Citizenship: U.S.A.

Post Office Address: 220 Upper Pike Creek Road

Newark, DE 19711

COPY

Applicant/Patentee: W. Scott HEMPHILL
Serial or Patent No.: 09/439,650
Filed or Issued: November 12, 1999
Title: *Method and Apparatus for Repairing Concrete*

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
STATUS (37 CFR 1.9(F) AND 1.27(B)) - INDEPENDENT INVENTOR(S)

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled

Method and Apparatus for Repairing Concrete

described in

the specification filed herewith
 application Serial No. 09/439,650, filed November 12, 1999
 patent No. _____, issued _____

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

no such person, concern or organization
 persons, concerns or organizations listed below*

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME _____

ADDRESS _____ Individual Small Business Concern Nonprofit Organization

NAME _____

ADDRESS _____ Individual Small Business Concern Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

W. Scott Hemphill
NAME OF INVENTOR



Signature of Inventor

11/30/99

Date